

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3604

IN THE MATTER OF:

Served February 1, 1991

Application of DIPLOMAT LIMOUSINE)
AND LIVERY SERVICE, INC., for)
Temporary Authority)

Case No. AP-91-03

By application filed January 14, 1991, Diplomat Limousine and Livery Service, Inc. (Diplomat or applicant), seeks temporary authority to transport passengers, together with mail, express, and baggage in the same vehicles as passengers, between specified points in the Metropolitan District for the account of the United States Environmental Protection Agency (EPA).

Order No. 3603, served January 18, 1991, generally described the evidence submitted with the application, and that order is incorporated herein by reference. Order No. 3603 served as publication of notice and directed that protests, if any, be filed in accordance with Commission Rule No. 14 no later than Monday, January 28, 1991. No protests to the application have been received by the Commission. Order No. 3603 also directed that applicant file certain specified materials no later than Monday, January 28, 1991. That direction was complied with, and the materials confirmed, among other things, that Diplomat proposes to use the equipment described in Order No. 3603.

Title II, Article XI, Section 13 of the Compact provides that the Commission may, in its discretion, grant an application for temporary authority, without hearings or other proceedings, if it finds that there is an immediate need for service that is not available. Fitness of the applicant is also required. See Application of Suburban Transit Company for Temporary Authority to Serve the Capital Centre, Order No. 1643, served January 24, 1977; Application of American Coach Lines, Inc., for Declaratory Order or, in the Alternative, Temporary Authority to Conduct Charter Operations between Points in the Metropolitan District, Order No. 2738, served July 22, 1985. See also Order Nos. 2440, 2448, 2864, and 3221, served July 22, 1983; August 10, 1983; May 23, 1986; and August 23, 1988, respectively.

Inasmuch as no duly authorized carrier protested this application, the Commission finds that the proposed service is not available. It is further found, based on the evidence of record as described in Order No. 3603 and this order, that there is an immediate need for the proposed service and that applicant is fit to provide it.

THEREFORE, IT IS ORDERED:

1. That Diplomat Limousine and Livery Service, Inc., is hereby conditionally granted temporary authority, contingent upon timely compliance with the terms of this order, to transport passengers in charter operations between points in the Metropolitan District for the account of EPA.

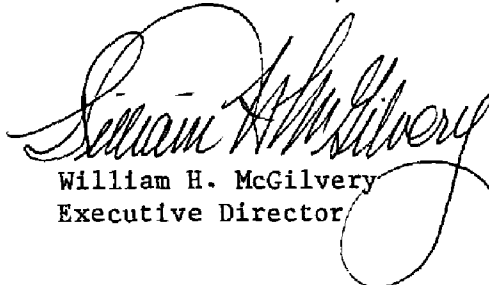
2. That Diplomat Limousine and Livery Service, Inc., is hereby directed no later than 30 days from the service date of this order to (a) identify its vehicles in accordance with Commission Regulation No. 67-03; (b) file an affidavit of compliance with Commission Regulation No. 67-03; (c) file three copies of its WMATC Temporary Tariff No. AP-91-03 as herein proposed; (d) file an equipment list stating make, model, serial number, vehicle number (if any), seating capacity, and license plate number (with jurisdiction) for all vehicles (including back-up) to be used in revenue operations for EPA; (e) file evidence of ownership or lease, as appropriate, for vehicles (including back-up) to be used in revenue operations for EPA; and (f) file a certificate of insurance in conformance with Commission Regulation No. 62.

3. That the Executive Director shall notify Diplomat Limousine and Livery Service, Inc., in writing, upon its timely compliance with the requirements of this order, that it may commence operations for EPA's account pursuant to temporary authority.

4. That the temporary authority granted herein shall remain in effect through July 31, 1991, unless otherwise ordered by the Commission.

5. That unless Diplomat Limousine and Livery Service, Inc., complies with the requirements of this order within 30 days from date of its issuance or such additional time as the Commission may direct or allow, the grant of authority contained herein shall be void, and this application shall stand denied in its entirety, effective upon the expiration of the said compliance time.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS WORTHY, SCHIFTER, AND SHANNON:


William H. McGilvery
Executive Director